

EXHIBIT C

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Wave Neuroscience, Inc., a Delaware corporation,

Plaintiff/Counterclaim Defendant,

v.

Peaklogic, Inc., a Delaware corporation; and Kevin T. Murphy, M.D., a Professional Corporation, doing business as Mindset,

Defendants/Counterclaim Plaintiffs.

Case No.: 21cv1330-CAB-AGS

CLAIM CONSTRUCTION ORDER

On November 10, 2022, the Court held a claim construction hearing in this matter. The terms and phrases to be construed were submitted and briefed by the parties in accordance with this District's local rules and the case management order in this case. [Doc. Nos. 47, 51, 52, 53, 61 and 62.] Having reviewed the submissions and heard the arguments of the parties, and for the reasons set forth on the record the Court enters the following constructions of the submitted terms and phrases.

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1 The Court adopts the parties' agreed constructions as follows:

2 Processor moves (a) an intrinsic 3 frequency of the brain of the subject 4 within the specified (EEG) band to a pre-selected intrinsic frequency	Shifts or alters an intrinsic frequency to be substantially the same as the pre- selected intrinsic frequency
5 Moves/moving [Q-factor/EEG 6 phase] toward the preselected [Q- 7 factor/EEG phase]	Shifting or altering the [Q-factor/EEG Phase] to be closer to the pre-selected [Q-factor/EEG phase]
8 Move the [Q-factor/intrinsic 9 frequency] toward the preselected [Q-factor/intrinsic frequency]	Shifting or altering the [Q- factor/intrinsic frequency] to be closer to the pre-selected [Q-factor/intrinsic frequency]

11 The Court construes the remaining disputed terms as follows:

12 Pre-selected intrinsic frequency	A targeted intrinsic frequency chosen before treatment
13 Pre-selected Q-Factor of the intrinsic 14 frequency	A targeted Q-Factor chosen before treatment
15 Pre-selected EEG phase of the 16 specified EEG frequency	A targeted EEG phase chosen before treatment
17 Improves	To make or become better [the medical 18 conditions in the claim]
19 Adjusting output of the magnetic 20 field based on the subject's intrinsic frequency	No construction needed
21 Pre-selected frequency	A targeted frequency chosen before 22 treatment

23 **IT IS SO ORDERED.**

24 Dated: November 10, 2022

25 
26 Hon. Cathy Ann Bencivengo
27 United States District Judge

Cruz, Catherine M.

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U.S. District Court

Southern District of California

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